



PLANNING COMMISSION

Department of Urban Planning & Design P. O. Box 27210 Tucson, Arizona 85726-7210

Approved by Planning Commission
on November 1, 2006

Date of Meeting: September 7, 2006

The meeting of the City of Tucson Planning Commission was called to order by Grace Evans, Chair, on Wednesday, September 7, 2006, at 7:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda Street, Tucson, Arizona. Those present and absent were:

1. ROLL CALL

Commission Members Present:

Grace Evans, Chair
Robert Patrick, Vice Chair
Daniel J. Benavidez
Brad Holland
Alan Lurie
Daniel R. Patterson

Elizabeth Przygoda
Catherine Applegate Rex
Frank Thomson
Craig Wissler
Daniel J. Williams

Commission Members Absent:

Sammie Hamed
Shannon McBride-Olson

Staff Members Present:

Michael McCrory, Principal Assistant City Attorney
Jim Mazzocco, Urban Planning and Design, Administrator
Patricia Gehlen, Development Services, Neighborhood Resources Section Manager
Ramona Williams, Urban Planning and Design, Secretary
Ceci Sotomayor, City Clerk's Office, Recording Secretary

NOTE:

Minutes reflect changes read into the record
at meeting held November 1, 2006.

2. MINUTES FOR APPROVAL: August 2, 2006

MOTION by Mr. Williams, duly seconded, and carried by a voice vote of 11 to 0 (Commissioner Hamed, Commissioner McBride-Olson absent) to approve the minutes of August 2, 2006 with the following corrections: page four, second motion, to reflect motion made by Mr. Lurie (attachment 1); page ten, line six, eliminating the word “plan” and adding the words “in it.” (attachment 2); page eleven, correction of the amended motion (attachment 3).

6. RESIDENTIAL CLUSTER PROJECT: PUBLIC HEARING

(Note: This item was taken out of order.)

Jim Mazzocco, Urban Planning and Design, Administrator, announced this was the public hearing on a *Land Use Code* amendment to the Residential Cluster Project. At the last meeting, the Commission directed staff to develop a “quick fix” to the Residential Cluster Project. The ordinances under development were called the Infill Ordinances. Those ordinances were the Neighborhood Overlay Ordinance, the Mixed Use Ordinance, and the Residential Cluster Project Ordinance. Staff was working on creating a more compatible infill type development. Staff reported that they were working on the Neighborhood Overlay Ordinance and the Mixed Use Ordinance, and were still in the draft stage.

Mr. Mazzocco said there was a request that staff return with options for Residential Cluster Projects less than five acres. Those options should include text amendments and the wording that there would be a Zoning Examiner public hearing for Residential Cluster Projects for five acres or less and those Residential Cluster Projects would be evaluated using the Residential Cluster Project Purpose Statement.

Mr. Mazzocco explained the options for the Residential Cluster Projects less than five acres that staff developed. Option "A" would have a public hearing and the applicant must show that the proposed development meets the Residential Cluster Projects Purpose Statement. Option "B" was an administrative option. It would allow a Residential Cluster Project of five acres or less to come forward with a mitigation plan for the edge of their development. When adjoining existing development, certain criteria had to be met. Such criteria included:

- If there were a single story development on the existing lot, then the proposed lot would have to be single story.
- There would be a requirement for a six-foot masonry wall.
- There would be requirements that trees would be planted along the wall to assist in screening and protecting the privacy of the adjoining existing development.

The whole purpose of Option "B" was to preserve privacy on the adjoining property when a new proposed development was coming in.

Mr. Mazzocco said there were some concerns with Option "A". One concern was that it would add three to four months to the process of having a plat go through the planning process. And, the other issue was that it would be difficult for small development to meet the criteria of the purpose statement. With those considerations in mind, staff prepared Option "B".

Staff's recommendation was that the Planning Commission forward Option "B", an amendment to the existing administrative process to the Mayor and Council with a recommendation to adopt.

Discussion followed.

Commissioner Lurie asked when the infill ordinances would be ready for approval.

Mr. Mazzocco said presently there was a new draft for the Neighborhood Overlay Ordinance under review by the City Attorney. When they were at the point that the Neighborhood Overlay Ordinance was in good shape, the Infill Subcommittee would review it. He suggested it would be possible that the Neighborhood Overlay Ordinance would be ready for review by the Planning Commission as early as late September or early October. He was not sure about the mixed use yet.

Commissioner Rex inquired if there was a target date for the completion of the ordinances for the end of the year or early next year.

Mr. Mazzocco tentatively planned to have the draft ordinances available to the Planning Commission in November and to the Mayor and Council approximately in January.

Chair Evans opened the public hearing.

Ruth Beeker, representing the Miramonte Neighborhood Association, said two years ago, she became involved with infill issues and found that there were more than twenty-five parcels that were either vacant or had what the City called "under utilized properties." That became a major issue for the neighborhood. Since then, six of the parcels were no longer available because one was paved over and four developments were Residential Cluster Projects. She did not recall receiving notification about the Residential Cluster Projects. She said she was not in favor of Option "B" and her concern and the concern in her neighborhood was the lack of notification and the lack of input in Residential Cluster Projects. She brought a list of neighbors in the Miramonte Neighborhood Association who asked her to come and represent them. She said Option "A" was not exactly the right thing, but surely Option "B" did not meet their needs at all. She explained when they were looking at something that was going to be in their neighborhood for decades, three to four months was not too long for a developer to talk to the neighborhood to discuss what was in the best interest for those who lived there. She urged the Planning Commission not to discard Option "A" because of the time constraints. She said on behalf of the seventy-six people in Miramonte Neighborhood Association, they supported Option "A" or some option that would give them benefits.

Gale Schuessler, representing the Sam Hughes Neighborhood Association, said they supported Option "A" for the same reasons as the previous speaker.

Marcus Jernigan said she also supported Option "A" for the same reasons.

Dyer Lytle, president of Jefferson Park Neighborhood Association, commented they would like to have better notice for Residential Cluster Projects. She was also concerned about mini dorms because once installed, they destroy the quality of life for people around them. She said she was in support of Option "A".

Beryl Baker said she was in support of Option "A" because uses appeared stronger than Option "B" and because Option "A" required neighborhood input. Also, Residential Cluster Projects for large parcels should have to go before the Zoning Examiner and a public process so neighborhoods could have a stronger quality of life. With neighborhood input, these Residential Cluster Projects would become better developments for the neighborhoods.

Tracy Williams said she lived in the Sahuaro Medio Flores Neighborhood Association. She said they needed to put the Residential Cluster Project back on track. She supported Option "A". The Residential Cluster Project provisions were adopted in March 16, 1987 and at that time the Citizens Advisory Planning Committee made sure there would be no question that the cluster option would be in conformance with the design policies and criteria of neighborhood plans. Today, almost twenty years later, both midtown neighborhoods found that the Residential Cluster Project design option was grossly misused and misinterpreted and that practice was having a noticeable negative impact throughout this community. The purpose and intent of the Residential Cluster Projects appeared to have been forgotten. The Residential Cluster Project was created to give developers flexibility with a project design in exchange for innovative site planning that preserved natural features such open space, native vegetation, washes, wildlife habitat, significant topography and historical and archaeological resources as well as to protect the character of adjacent neighborhoods. The Neighborhood Infill Coalition studied the use of the Residential Cluster Project design option for the past couple of years. The City of Tucson held many meetings with stakeholders, including the Infill Subcommittee, to discuss specific revisions of the Residential Cluster Project. At these meetings it became clear to everyone that the Residential Cluster Project needed to be updated. She asked that Option "A" be passed to Mayor and Council to restore appreciated land use protections for neighborhoods throughout this beautiful valley.

Michael Toney said there was a situation with the development designers that needed to be adjusted with Residential Cluster Projects and the absence of a density increase would defeat the purpose of a Residential Cluster Project to preserve open space.

Lori Lustig, representing the Southern Arizona Builders Association, referred to a letter in the Planning Commission packet that stated her concerns. She said that although the neighbors were frustrated, the process was not idling and there were reasons why this had been put on the back burner. She thought staff had some very good ideas about what

they wanted to do with the Residential Cluster Project. She did not believe a temporary remedy was the solution. They would spend more time trying to sort out more unintended consequences and they would never get on to the business at hand which was making the corrections that were needed. She said if builders were subjected to a rezoning process in Option "A" they would do one of several things. They would build what was hard zoned, if they could make that work financially, or they would not build anything. Several other members came to a meeting with Mr. Mazzocco and stated that they would finish the projects that they had in progress and then go elsewhere. They would not subject themselves to the problems associated with the rezoning process when the land was hard zoned. Option "B" could be acceptable although it was an interim fix and it would be better to permanently fix the Residential Cluster Project. She suggested looking at some of the issues Option "B" was raising, send it back to staff and ask them to bring it back next month to have a clean copy of what was being presented and voted on, then send it on its way. There was an Option "C". That option was to direct staff and all the participants to go back to the table and fix the Residential Cluster Project. She asked Chair Evans to make sure her letter was part of the public record. She opposed Option "A" because it was not acceptable to the building community. Option "B" could be acceptable if in fact it was a temporary solution and had a sunset clause, and to consider Option "C."

Commissioner Thomson asked if anything in the staff report either dealing with Option "A" or Option "B" would change the underlined zoning of any parcel in the City of Tucson.

Michael McCrory, Principal Assistant City Attorney, responded that it would not.

James Summersett said he was a builder and developer and his first project in Tucson was an infill project. He encouraged the Planning Commission to take the time to look at one of the best tools that the *Land Use Code* had for building infill projects. He said the quality of life was an important issue. One of the best ways to utilize infrastructure was with the Residential Cluster Project. There were problems with the Residential Cluster Project, but he encouraged staff return with a black and white Residential Cluster Project. The problem with the Residential Cluster Project today was that there were too many gray areas left open for interpretation by staff and by the community. The builders would like to know the black and white rules. He said there have been a number of successful Residential Cluster Projects in this community over the years. He suggested using those as models and templates for the builders. If the process resembled a rezoning, you would lose the builders and wind up with empty lots that are not economically feasible to deal with. In the long run if you lost those builders, everyone would lose.

Colette Altaffer, representing the Catalina Vista Neighborhood Association, said she was a part of the Neighborhood Infill Coalition. She had a packet that contained sixteen names of neighbors who were not able to attend but wanted to register their concerns and indicate that they were in support of Option "A." She said the Residential Cluster Project was intended to be a win-win situation for everybody. Over the years the Residential Cluster Project became out of balance through a series of code amendments and a series of interpretations of code. The typical builder did not live in the Residential Cluster Project that they built and did not have to live with the consequences of that

density. So it was the neighbors who live near by that would live with the impact of the increase of traffic, noise, reduced privacy in parking, and because the way the Residential Cluster Project was written, they were essentially told to live with this in silence. She was in support of Option "A" because it gave the members of the community their voice back.

Rick Hanson, representing some of the Civano neighbors, said they were in support of Option "A" because of their experience with development. He said that unless the builder was required to speak with the neighborhood, bad things tended to happen. Often neighbors could provide input, which would be beneficial to developers on projects that developers were looking into putting in. The proposal would allow the builders to do their job, and give a voice to the neighbors to make sure that neighborhood's concerns were put on the table and they had the opportunity to be heard and represented. He said he supported Option "A" because it made sense to invest a few more months in time and to involve neighbors in discussions.

Lisa Yanagihashi, a member of the West University Neighborhood Association, said they currently have a Residential Cluster Project being developed in their neighborhood and were never notified of this process. The development was a threat to the integrity of their neighborhood. She supported Option "A" because it would give them a voice that they should have always had to begin with and the opportunity to speak with the developer.

Elaine Hill, representing the Old Fort Lowell Neighborhood Association, said the problem with infill in her neighborhood was incompatibility of design and density. Houses were being torn down for denser development in standing neighborhoods. There was a need to mitigate. If there was a design acceptable to the neighborhood, there was not a need to mitigate. The neighborhood should see the opportunity for infill and the assets to the neighborhood. She voiced her concern with the notification process, how important that was to the neighborhood and how all designs were important to the community and neighborhoods.

MOTION by Commissioner Thomson, duly seconded, and carried by a voice vote of 11 to 0 (Commissioner Hamed, Commissioner McBride-Olson absent) to close the public hearing.

Commissioner Thomson commented that ninety percent of the problems focused on by the neighborhood groups were not the result of the larger established builders or of large projects. Most of the problems came from smaller sites that builders were trying to overbuild, resulting in incompatible residential areas and that did not provide buffers or transitions. It was important to do something, but staff was not ready for a full fix. The Residential Cluster Project never made sense and was never as good as the Pima County Cluster Ordinance or the cluster ordinance that most jurisdictions had. He said the real fix had to do with urban design criteria that would make all developments compatible, make it clear to builders what they needed to do and what the regulations were, and clear to the neighborhoods on what they could expect. Incompatible new developments next to existing developments and principally height problems were two of the biggest problems reflected in Option "B". Commissioner Thomson explained that there was a requirement

in Pima County that builders could not come in with a new subdivision adjacent to single story development without transitioning it with two-story development. That was already a rule that builders knew and worked comfortably with and did not need a public hearing to get accomplished. It was a rule that had to be followed and the builders knew how to do it. The City of Tucson never adopted that rule, which has led to a number of issues and problems of basic compatibility of new versus old projects. The other problems had to do with landscape buffer yards. Option "B" recognized a number of the key elements that the majority of the builders would take umbrage to because the process was similar in other jurisdictions. This process would not discourage infill, but it would deal with a lot of the problems immediately on new projects that came into the pipeline.

MOTION by Commissioner Thomson, duly seconded, to forward to Mayor and Council with a recommendation to adopt Option "B" of the Residential Cluster Project *Land Use Code* Amendment. Option "B" would include a specific six month sunset clause with the notion that staff is going to bring together the changes discussed by the Infill Committee and that everybody has worked on that would deal with all of the issues that the neighbors and the building community have raised.

Chair Evans asked if there was discussion on the motion.

Commissioner Patrick said the gentleman that was the builder who spoke during the public hearing made an extraordinary good point concerning the rules and regulations being adopted. The purpose of the zoning ordinance was to set clear land use rules so people living in the neighborhoods would know what was going to happen in their neighborhoods, know what they could do with their property, and for it to be a vehicle to eliminate argument. The *Land Use Code* was written subjectively and virtually every proposal reviewed by the Planning Commission for approval was contentious because of the lack of a clear definition of what could and what could not be done. When the ordinance is adopted, there should be standards to clarify what the results would be.

Commissioner Williams said another issue that was brought up during the subcommittee meetings, and by Commissioner Thomson, was the interpretation of the codes. Option "B" opened up creative interpretation because it would give the Development Services Department director full control over the process and that would not be a good stop-gap measure. He believed that Option "B" was not the correct option to go forward.

SUBSTITUTE MOTION by Commissioner Williams, duly seconded, to forward to Mayor and Council a recommendation to adopt Option "A" of the Residential Cluster Project *Land Use Code* Amendment, including a sunset clause stating that when the Planning Commission passed the new Residential Cluster Project, the old Residential Cluster Project would sunset with no time frame.

Commissioner Rex recommended the motion include a sunset set clause. The maker of the motion accepted the recommendation as long as the new revision would come forward and be approved by the Planning Commission. The verbiage was inserted in the substitute motion.

Commissioner Thomson commented on Option "B." He said it required the number of stories on dwellings be limited to the number stories on dwellings in the adjoining lot. He said it did not need much interpretation and was pretty clear. Pima County staff did not have a problem with that rule and regulation because it did not need interpretation. He cautioned that as a matter of right (i.e. land use entitlement) nothing in this document was going to change the ability to develop the property in accordance with the current underlying zoning. The choice would be to either develop with all of the basic setbacks on a project or it could be varied by doing a cluster, which the Residential Cluster Project would do. He did not believe Option "A" or Option "B" was the absolute solution. Option "A" was the wrong direction. It would suggest that a Residential Cluster Project would be developed and made into a rezoning process that was exactly opposite of what has been done in the community in the last fifteen years. They wanted to encourage infill development.

Commissioner Williams suggested that Option "A" would give the neighborhoods a voice in the process, which he thought was important. Five acres or less was a small development and the surrounding neighbors were the ones who were affected the most. Currently they had no voice and Option "A" was the best way to go.

Commissioner Holland said he supported Option "A" and understood Commissioner Thomson's comments. However, the arguments were not against density or development, but against bad development. There were great ideas that could come out of sitting down with neighbors and deciding what was consistent, neighborly and welcomed.

Commissioner Rex expressed her concern regarding the notification process. She asked how addresses were updated and how current neighborhood association presidents were updated.

Patricia Gehlen, Development Services, Neighborhood Resources Section Manager, replied as long as the property owners were updating their information with the Pima County Recorder's Office, the property owners should be getting their notification. The information was as current as the Pima County Recorder's Office.

Michael McCrory, Principal Assistant City Attorney, added that the City of Tucson for notice purposes was limited to a body of addresses they could actually check and determine at a point in time. It used the Pima County Assessor's Office list of property owners as a sole basis in giving notices. With Neighborhood Services, the City of Tucson could only relay to those neighborhood associations that had current names and address. The City of Tucson could only use the data that was provided to it.

Commissioner Thomson asked for a vote on the motion.

Mr. McCrory asked if there were findings to be stated by Commissioner Williams in support of his motion and also the time period associated with the sunset clause.

Commissioner Williams stated the findings were that this was a stop-gap measure until the new Residential Cluster Project was developed and approved by the Planning

Commission, and because the small Residential Cluster Projects have not been compatible with existing neighborhoods. The sunset clause should also read that when this commission passed the new Residential Cluster Project, the old Residential Cluster Project would sunset with no time frame.

Upon roll call the results were:

Aye: Commissioner Benavidez, Commissioner Holland,
Commissioner Patterson, Commissioner Przygoda,
Commissioner Rex, Commissioner Wissler, Commissioner
Williams

Nay: Chair Evans, Commissioner Patrick, Commissioner Lurie,
Commissioner Thomson

Absent: Commissioner Hamed, Commissioner McBride-Olson

The Substitute Motion passed by a roll call vote of 7-4, to forward to Mayor and Council a recommendation to adopt Option "A" of the Residential Cluster Project *Land Use Code* Amendment including a sunset clause stating that when the Planning Commission passed the new Residential Cluster Project, the old Residential Cluster Project would sunset with no time frame.

RECESS: 8:30 p.m.

Chair Evans announced the Planning Commission would stand at recess for five minutes.

RECONVENE: 8:47 p.m.

Chair Evans called the meeting to order and those present and absent were:

Commission Members Present:

Grace Evans, Chair
Robert Patrick, Vice Chair
Daniel J. Benavidez
Brad Holland
Alan Lurie
Daniel R. Patterson

Elizabeth Przygoda
Catherine Applegate Rex
Frank Thomson
Craig Wissler
Daniel J. Williams

Commission Members Absent:

Sami Hamed
Shannon McBride-Olson

7. UPDATE ON NEIGHBORHOOD PLANNING PILOT PROJECT

(Note: This item was taken out of order.)

Jim Mazzocco, Urban Planning and Design, Administrator, announced that Rebecca Ruopp, Urban Planning and Design, Principal Planner was unable to make her presentation on this item. Mr. Mazzocco said he would give a brief presentation.

Mr. Mazzocco said this project was a neighborhood-planned pilot that grew out of recommendations from a group of neighborhood leaders. One of the recommendations was that neighborhood plans be developed for neighborhoods that do not have neighborhood plans and update the plans for neighborhoods that do have them. The Neighborhood Plan Project was being sponsored by the City of Tucson Department of Urban Planning & Design and the University of Arizona Drachman Institute that was overseeing the planning, in collaboration with the participating neighborhoods including Jefferson Park and Miramonte. This would be a six-month process and include a neighborhood inventory, a steering committee, and public meetings to develop a neighborhood plan for each of the neighborhoods.

Mr. Mazzocco stated the process would provide an opportunity for residents, businesses, and institutions within each neighborhood to identify what makes the neighborhood distinctive and special and how those qualities may be preserved and enhanced while meeting needs of the neighborhood and the City at large. This prototype project would be used to test and refine a process that could be used by other neighborhoods that would like to prepare or update neighborhood plans.

Mr. Mazzocco said the neighborhoods that were involved in this project were Jefferson Park Neighborhood Association and Miramonte Neighborhood Association. One of the key recommendations and outcomes the project was looking for was a zoning tool that has become known as the Neighborhood Overlay Zone. One of the hopes of this pilot project was to come up with this Neighborhood Overlay Zone project. They were putting together information they would like to have placed in their Neighborhood Overlay Zone if this was adopted by Mayor and Council. Staff was in consultation with the City Attorney's Office with the next draft of the Neighborhood Overlay Zone and targeting late September or early October to present the draft to the Planning Commission.

Mr. Mazzocco explained that the project included a series of neighborhood meetings with steering committees that looked at issues and values to be preserved in their neighborhoods. They planned to eventually create draft-planned concepts and review the Neighborhood Overlay Zone concepts to see what types of standards they would place in them. One of the other outcomes after adoption would be to assemble an evaluation of the pilot project.

Planning staff anticipated bringing the draft to the Planning Commission in the beginning of 2007.

Commissioner Patrick suggested that when this comes back to the Planning Commission, it should include standards for neighborhood plans with ideas that would be

empirical that you could design to. If they could start translating these efforts into specific efforts that a designer could work with, the neighborhood could say this was what was going to happen.

4. MINI DORM PRESENTATION

(Note: This item was taken out of order.)

Jim Mazzocco, Urban Planning and Design, Administrator said at the August Planning Commission meeting there was a request for an update on the Mini-dorms issue. There was a report signed by the director that included information on what has occurred and tried to explain some problems. Mr. Mazzocco said he would give a summary of key points in the report.

Mr. Mazzocco said the root of this problem was the lack of housing around the area of the University of Arizona. A group of developers discovered there were loopholes in the *Land Use Code* that allowed them to develop lots more intensely than intended when those regulations were devised.

Mr. Mazzocco brought up concerns, such as the second unit could be seventy-five percent of the main unit and the problems with parking. He explained some ideas and solutions to cure the problems and said there were numerous ideas that would be explored.

Commissioner Patrick commented on the definition in the code for group dwelling. He believed one of the problems with some of the approaches were that they were structural zoning changes and when non-land use problems were solved by changing specifications, inattentive consequences occur like the parking problem. The problems should be addressed by confronting “group housing” or “group dwelling” in R1 or R2, where they were not allowed. This would be an alternative. Another potential alternative would be to write an ordinance that dealt with student housing that would go to the root of the problem and to create a definition for student housing and set some specifications and parameters that could be enforced.

Michael McCrory, Principal Assistant City Attorney, said it was part of the problem that there was already a group dwelling definition, and that these appear to be group dwellings once they are up and operating. They did not necessarily fall into that category when they were being built. From a structural standpoint it was a difficult line in terms of the building structure to enforce.

Discussion followed.

Commissioner Holland said that frequently the neighbors would become full time property managers for the slacker who owned the property and as a result there would be consequences of retaliation. The code began to deal with status of the building itself and defined the structure. We could not have too many predictive rules about behavior. The problems vested on the neighbors were behavior problems.

Commissioner Thomson said the last time this issue was discussed it was a lengthy discussion. He suggested staff report on the status next month at the Planning Commission meeting as to the progress and to continue the discussion.

Commissioner Rex said she would like to see additional information about the possibility on licensing rental units and to make contact with the University of Arizona to get their position on this matter.

Mr. McCrory stated that there should be cooperation with the University of Arizona and over the years there were a number of attempts to do that.

Chair Evans asked if there was a time line in producing some more information.

Mr. Mazzocco asked for a few more months to produce updates.

Commissioner Rex said the Pima County Assessor's Office did not keep up with properties that were designated as owner occupied. She would like a report on the Pima County Assessors Office process and why it has not been brought up to current standards.

Commissioner Patterson commented that he was not in favor of the option requiring off street parking as a way to try to limit mini dorms. He believed it would result in a lot of additional paving. He said it would be more appropriate to try residential parking systems and he would like to see some solution that would allow for additional on street parking without a large amount of additional paving.

3. LETTER TO MAYOR AND COUNCIL REGARDING HABITAT CONSERVATION PLAN PROCESS.

Chair Evans stated that there were several items mailed in the packets regarding the Habitat Conservation Plan Process and asked staff if they had prepared remarks on this item or if anyone was present for this item. Staff had no remarks.

Commissioner Patterson thanked Chair Evans for a letter that was sent to Mayor and Council on August 28, 2006. He also commented that he did not agree with some of the verbiage included in the letter that Ms. Liberti had sent to Mayor and Council dated August 21, 2006. He believed the statement that said the Coalition for Sonoran Desert Protection's letter was in alignment with staff's position in that a joint plan was not the best approach, was not the opinion of the Coalition for Sonoran Desert Protection.

Commissioner Thomson did not believe this item should have been on the agenda and the topic was not an appropriate issue for the Planning Commission to discuss.

Commissioner Patrick concurred with Commissioner Thomson. He believed it was inappropriate to make a recommendation to Mayor and Council, or at least until the Planning Commission had ample time to study the issue.

4. MINI DORM PRESENTATION

(Note: This item was taken out of order and discussed after Item 7.)

5. PLANNED COMMUNITY DEVELOPMENT

Mr. Mazzocco presented an update to the Planned Community Development. He explained that the Planned Community Development had history in Arizona and several communities were using this particular type of district.

Mr. Mazzocco gave a power point presentation on the Planned Community Development which included:

- What a Planned Community Development District was.
- What the key goals of a Planned Community Development District were.
- Encouraging a more creative approach in utilization of land in order to accomplish an efficient, aesthetic, and desirable development that was respectful to the topography and desert environment.
- Providing reasonable assurances to the City and the land developer.
- Steps to establish a Planned Community Development.
- Some of the basic Planned Community Development elements.
- Some of the key terms that we are using in this Planned Community Development.
- What the connection of the Planned Community Development to the Houghton Area Master Plan was.

The City Attorney had the most recent draft of the Planned Community Development. The final draft should be presented to the Planning Commission in the next couple of months.

Discussion followed.

Commissioner Patterson asked if the State Land Department had expressed any indication on how they would sell land in the Southlands. He asked if there were concerns that the State Land would be sold in a way so that it could be kept below the five hundred-acre parcels.

Mr. Mazzocco replied that he believed the State Land Department would prefer to sell as much land as they could in larger parcels instead of small parcels. The State Land

process was intense and easier for them to sell large parcels. The ordinance was structured to address a lot of different situations. There were many scenarios that could happen and the ordinance was flexible and prepared to address those scenarios.

Commissioner Patrick said he believed there should be an entitlement on the project and they should create the zoning to a point where the speculation of value of rezoning was not going to be in the equation.

Discussion continued among the commissioners regarding:

- The Master Plan development on State Land.
- Funding school districts and community facilities planning.
- The requirement of the State Lands release process, which required that a Master Plan be developed for the State Land site to be released.
- The Houghton Area Master Plan was the guiding document for the State Land.
- The relation of construction of additional residential to commercial development.
- The connection of the Houghton Area Master Plan and the Planned Community Development.
- Development plans for civic uses in the Houghton Area Master Plan and incentives for building civic uses and other public infrastructure.
- The importance of phase planning to address when key infrastructures would occur.
- The amendment procedure in a Planned Community Development.

6. PUBLIC HEARING: RESIDENTIAL CLUSTER PROJECT

(Note: This item was taken out of order and discussed after Item 2.)

7. UPDATE ON NEIGHBORHOOD PLANNING PILOT PROJECT

(Note: This item was taken out of order and discussed after Item 6.)

8. OTHER BUSINESS:

a. Mayor and Council Update:

No report was given.

b. Infill Ordinance Update

Updates discussed in Item 6.

c. Other Planning Commission Items: (Future agenda items for discussion/assignments)

Chair Evans announced there would be a continued public hearing on C-1 Zoning and Liquor Licenses Code Amendment.

Commissioner Rex asked if there could be a presentation on upcoming propositions that would have land use effects.

Mr. Mazzocco announced the Planning Commission Rules and Procedures would be presented next month or the following month.

9. CALL TO THE AUDIENCE

Michael Toney said he believed that Planned Community Development was overbuilding because of economic intrigues involving continuing encroachment regarding respecting vegetation in a plot of land.

Jason Meininger said he primarily wanted to address the Planned Community Development. The Houghton Area Master Plan process had been going on for many years and it was reassuring that they were not just trying to ram this through to get it done so they could start developing. The City of Tucson was doing a good job of listening to the stakeholders and he was looking forward to the meetings where everyone could get together and construct a deal where the builders, neighbors, City of Tucson and the community would be represented and the plan would be unanimous. He said his second point was planning for the State trust land. Currently there was no requirement for the land department to work cooperatively with local governments. Proposition 106 was the "Conserving Arizona Future" proposition. That would require the State Land Department to work cooperatively with local governments on planning for their land. That was an important process to assure the State Land Department would work closely with the City of Tucson.

10. ADJOURNMENT: 10:20 p.m.